



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
11/781,931	07/23/2007	Jefferson L. Wagener	2062/3

CONFIRMATION NO. 6683

FORMALITIES
LETTER

27774
MAYER & WILLIAMS PC
251 NORTH AVENUE WEST
2ND FLOOR
WESTFIELD, NJ 07090

Date Mailed: 08/08/2007

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 75 to complete the basic filing fee for a small entity.
- The oath or declaration is missing. *A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
Note: If a petition under 37 CFR 1.47 is being filed, an oath or declaration in compliance with 37 CFR 1.63 signed by all available joint inventors, or if no inventor is available by a party with sufficient proprietary interest, is required.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$250** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee, or oath or declaration) as set forth in 37 CFR 1.16(f) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this notice.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$740** for a small entity

- \$75** Statutory basic filing fee.

11/13/2007 NNGUYEN1 00000029 501047 11781931

01 FC:4011	75.00 DA
02 FC:2111	255.00 DA
03 FC:2311	105.00 DA
04 FC:2202	50.00 DA
05 FC:2201	210.00 DA
06 FC:2051	65.00 DA

- **\$65 Surcharge.**
- The application search fee has not been paid. Applicant must submit **\$250** to complete the search fee.
- The application examination fee has not been paid. Applicant must submit **\$100** to complete the examination fee for a small entity in compliance with 37 CFR 1.27.
- Total additional claim fee(s) for this application is **\$250**
 - **\$200** for 2 independent claims over 3.
 - **\$50** for 2 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.



Office of Initial Patent Examination (571) 272-4000, or 1-800-PTO-9199

PART 2 - COPY TO BE RETURNED WITH RESPONSE

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Small Entity)**

Docket No.
2062/3

In Re Application Of: Jefferson L. Wagener et al.

Application No.	Filing Date	Examining Unassigned	Customer No.	Group Art Unit	Confirmation No.
11/781,931	07/23/2007	Unassigned	27774	Unassigned	6683

Invention: **MUTIPLE FUNCTION DIGITAL OPTICAL SWITCH**

Mail Stop Missing Parts
COMMISSIONER FOR PATENTS:

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on
08/08/2007
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☐ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☒ A properly signed oath or declaration in compliance with 37 CFR 1.63.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☐ _____ verified small entity declaration(s)
 - ☐ is/are attached.
 - ☐ was/were filed on _____
- ☐ A separate request for refund.
- ☒ Other (list):

11/13/2007 NNGUYEN1 00000029 501047 11781931
07 FC:2251 60.00 DR

1-page Power of Attorney and Correspondence Address Indication Form
1-page Statement Under 37 CFR 3.73(b) and 2-page copy of executed Assignment document in favor of Nistica, Inc.
3-page Transmittal of Information Disclosure Statement
1-page Information Disclosure Statement, PTO-1449
Return Receipt postcard

Docket No.
2062/3

Jefferson L. Wagener et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
11/781,931	07/23/2007	Unassigned	27774	Unassigned	6683

TO THE COMMISSIONER FOR PATENTS:

☒ Completion of application fees as calculated below:

<input checked="" type="checkbox"/> Utility application basic fee	\$75.00
<input type="checkbox"/> Design application basic fee	
<input checked="" type="checkbox"/> Search Fee	\$255.00
<input checked="" type="checkbox"/> Examination Fee	\$105.00
<input checked="" type="checkbox"/> Total number of independent claims = 5	\$210.00
<input checked="" type="checkbox"/> Total number of claims = 22	\$50.00
<input type="checkbox"/> Multiple dependent claims	
<input checked="" type="checkbox"/> Surcharge for late payment of filing fee and/or late filing of original declaration or oath	\$65.00
<input type="checkbox"/> Petition and fee for filing by other than all the inventors or a person not the inventor	
<input type="checkbox"/> Fee for processing an application filed with a non-English language specification	
<input type="checkbox"/> Fee for processing and retention of application	

Total completion of application fees \$760.00

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☒ One month ☐ Two months ☐ Three months ☐ Four months ☐ Five months

from: 10/8/07 until: 11/8/07
Date Date

Total time extension fees \$60.00

Total fees due \$820.00

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Small Entity)**

Docket No.
2062/3

In Re Application Of: Jefferson L. Wagener et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
11/781,931	07/23/2007	Unassigned	27774	Unassigned	6683

Invention: MULTIPLE FUNCTION DIGITAL OPTICAL SWITCH

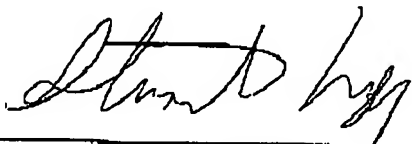
TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

The fee of \$820.00 is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 50-1047
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 50-1047
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



Signature

Stuart H. Mayer, Reg. No. 35,277
Mayer & Williams PC
251 North Avenue West, 2nd Floor
Westfield, NJ 07090

Tel.: 908-518-7700
Fax: 908-518-7795

Dated:

11/8/07

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

11.8.07

(Date)


Signature of Person Mailing Correspondence

Joanne Ryan

Typed or Printed Name of Person Mailing Correspondence

CC: